



LOS ANGELES COUNTY COMMISSION ON HIV

3530 Wilshire Boulevard, Suite 1140 • Los Angeles, CA 90010 • TEL (213) 738-2816 • FAX (213) 637-4748

www.hivcommission-la.info

EXECUTIVE COMMITTEE MEETING MINUTES

April 29, 2011

Approved
5/31/2011

| MEMBERS PRESENT | MEMBERS ABSENT | HIV EPI AND OAPP STAFF | COMM STAFF/CONSULTANTS |
|------------------------|---------------------------|------------------------|------------------------|
| Carla Bailey, Co-Chair | Michael Johnson, Co-Chair | None | Jane Nachazel |
| Robert Butler | Sergio Aviña | | Glenda Pinney |
| Brad Land | Al Ballesteros | | Craig Vincent-Jones |
| Ted Liso | Fredy Ceja | PUBLIC | |
| Jenny O'Malley | Nettie DeAugustine | Miki Jackson | |
| Angélica Palmeros | Mario Pérez | | |
| Stephen Simon | Fariba Younai | | |

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- 1) **Agenda:** Executive Committee Meeting Agenda, 4/29/2011
- 2) **Minutes:** Executive Committee Meeting, 4/4/2011
- 3) **Policy/Procedure:** #08.3107: Consumer Definitions and Related Rules and Requirements, 4/18/2011
- 4) **Policy/Procedure:** #08.1306: Commission Compliance with the Health Insurance Portability and Accountability Act (HIPPA), 4/18/2011

1. **CALL TO ORDER:** Ms. Bailey called the meeting to order at 10:40 am.
2. **APPROVAL OF AGENDA:**
MOTION #1: Approve the Agenda Order (*Postponed*).
3. **APPROVAL OF MEETING MINUTES:**
MOTION #2: Approve the 4/4/2011 Executive Committee Meeting minutes (*Postponed*).
4. **PARLIAMENTARIAN REMARKS:** There were no remarks.
5. **PUBLIC COMMENT, NON-AGENDIZED:** There were no comments.
6. **COMMISSION COMMENT, NON-AGENDIZED:** There were no comments.
7. **PUBLIC/COMMISSION COMMENT FOLLOW-UP:** Mr. Vincent-Jones noted quorum was not met at the Operations Committee meeting which recommended Elizabeth Mendoza, and the Operations Committee meeting occurred after the Executive Committee meeting. The application was forwarded to the Commission since she was interviewed and her application was scored at the meeting, and due to the urgency of filling a seat that has been vacant for a significant time. He added that the Co-Chairs had approved forwarding the application to the Commission. There was no Commission objection to approval, but he will ask the Operations Committee to formally ratify the decision at its May meeting all the same.
8. **CO-CHAIRS' REPORT:**
A. **Executive Committee Work Plan:** Work on the work plan continues.

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B. Commission Ordinance 3.29:

- Mr. Vincent-Jones met with County Counsel on the Commission's final version of the Ordinance. Some minor grammar and clarification matters were addressed. Inclusion of a definition of consumer was raised at the Commission meeting, but it had already been included in the proposed revisions. Inconsistent use of the term "planning council" was noted in one clause at the Commission meeting and was changed to "planning body."
- County Counsel is now circulating the document for review. It has been forwarded to the Auditor-Controller and then to the Audit Committee. The Board considers it twice with a public comment in between.
- Sunset is in July 2011. Ordinance documents should be passed 30 days prior to sunset, but there is no penalty for delay.

C. Co-Chair Training:

Training will follow the Executive Committee meeting.

9. EXECUTIVE DIRECTOR'S REPORT:

Mr. Vincent-Jones said work on the new, user-friendly website is progressing. There will also be two Facebook pages—one for notices and one for community mobilization.

A. Pol. #08.3107: Consumer Definitions:

- Mr. Vincent-Jones said the policy was generated as certain Commissioners have questioned other Commissioners' consumer status. Questions were raised about the services consumers receive, which potentially violates HIPAA standards and fosters stigma among consumers.
- The policy clarifies that any disclosure of HIV status and/or use of services is based on self-disclosure. For consumer seats, the Commission asks only if a candidate is willing to publicly acknowledge HIV+ status – not the status itself – and to verify that they are receiving Ryan White services.
- Asking specificity of a Commissioner's HIV status and/or what services are accessed or where the services are accessed is prohibited. Under the policy, continued questioning will result in disciplinary action by the Executive Committee.
- He noted that HRSA defines unaffiliated consumers as receiving Part A services, but there is no feasible way for a client or provider to identify funding for the services a specific consumer receives, as Part A, B and NCC funds are comingled. For that reason, HRSA language refers to Part A, but any Part A, Part B or NCC services contracted by OAPP qualify.
- Mr. Land suggested that the Executive Committee should conduct a closed session on the violations. Mr. Vincent-Jones replied a concrete policy had not been in effect at the time the behavior occurred. It is not sound judgment to retroactively apply a policy, but promulgating the policy sends a message and provides recourse in future. The Executive Committee is entitled to discuss the behavior with Commission members who behaved that way in the past because it may pertain to the member's judgment.
- Ms. Pinney asked if the application requires signature "under penalty of perjury." While likelihood of dishonesty is small, Mr. Vincent-Jones said he thought the Board application portion already requires it. A Commissioner must step down from his/her consumer seat if s/he becomes affiliated or ceases to receive OAPP-funded services, and has done so in the past.
- ⌚ Mr. Vincent-Jones will rewrite the section referencing HRSA requirements to identify that while receipt of Part A services is a "consumer member" requirement, specific identification of Part A, Part B and NCC is not possible locally.
- ⌚ Mr. Vincent-Jones said applications are due to be revised shortly. He will use "OAPP-funded services" in both the policy and applications where applicable.
- ⌚ The policy will simultaneously go on the 5/12/2011 Commission consent calendar for approval and be opened for public comment.

B. Pol. #08.1306: HIPAA Requirements:

- Mr. Vincent-Jones noted that, while not explicitly a "HIPAA-covered entity," the Commission routinely works with institutions covered by it and includes members' whose personal health information may be protected by it if they choose not to disclose it voluntarily. As a result, the Commission seeks to adhere to the intent of HIPAA rules and regulations.
- All Commissioners are required to be HIPAA-certified. Most Commissioners say they are, but staff prepared a list of documentation of certification and found that most lacked documentation of current certification and certification expiration dates.
- Staff has requested the County open its Learning Net HIPAA certification course to Commissioners.
- ⌚ Not all certification courses include an expiration of the certification, but the Committee agreed that Commission certification should be renewed every two years.

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- ⌚ Mr. Vincent-Jones will complete the policy draft and follow-up on availability of HRSA's HIPAA training.

- C. Monthly Priority Task List:** Mr. Vincent-Jones said his key priority is to complete the standards of care for publication. He and Dr. Younai are compiling the standards and purchase orders for design and copy-editing services are still open. Editing should be done in three weeks. Only six standards have not been designed and the designer is addressing them.

10. OFFICE OF AIDS PROGRAMS AND POLICY (OAPP) REPORT: There was no report.

11. HIV EPIDEMIOLOGY PROGRAM (HEP) REPORT: There was no report.

12. TASK FORCE REPORTS:

A. Health Care Reform (HCR) Task Force:

- Mr. Vincent-Jones reported work on three briefs: an overview with definitions; P&P Committee guidance on allocation impact as significant numbers of consumers move to other systems, e.g., emerging gaps; and consumer education.
- The next meeting will be 5/5/2011 at 9:30 am.

B. Commission/PPC Integration Task Force:

- Mr. Butler hoped the PPC's recent training with Doc Klein will benefit discussion not only of TLC+, but also possible integration of the plans themselves. He felt TLC+ is already occurring and could inform combined planning.
- Mr. Vincent-Jones supports combining the plans. He has seen recent progress, e.g., the PPC did accept training from Doc Klein after a year of discussion on integration of the continua of care.
- He reported Doc Klein felt the majority, especially community members, absorbed the concept and were excited by it. He advised the Commission to be patient with expectations: the Commission took two years to develop its continuum and had four days of training, and, so far, the PPC has had only one-and a-half days of training.
- He noted the TLC+ and Continuum of Care plans do not need to be done sequentially. Work has begun on TLC+, which will be integral to Health Care Reform, e.g., in addressing gaps. Ms. Palmeros added many prevention aspects have already been integrated into standards. Research has shown the combined approach is most effective.
- The last meeting was cancelled due to scheduling conflicts. The next meeting will be 5/9/2011 at 2:00 pm.

- C. Comprehensive Care Plan (CCP) Task Force:** Ms. Pinney said the body met 4/26/2010. Background and context is mainly done, with a couple outstanding sections. The next goal is to set priorities. Members are reviewing NHAS operational plans as preparation.

13. CAUCUS REPORTS:

A. Consumer Caucus:

- Mr. Land reported a draft outline on consumer training is done. Consumers have asked about the next meeting.
- ⌚ Mr. Vincent-Jones will look into scheduling the next Caucus meeting.
- ⌚ The Mobilization Form went to ISD for uploading on the internet two weeks earlier. He promised to find out what the delay was posting it to the website.

1. HIV Services Roundtables:

- Mr. Land said the SPA 6 Roundtable began with a structure, but OAPP readily adjusted to respond to consumer concerns. He would have liked more than the 30 attendees in the populous area, but felt attendees were engaged.
- There is a tentative date for the SPA 7 Roundtable in June and a SPA 4/5 Roundtable planned for August. The two remaining roundtables will complete the full cycle of all of the SPAs. Mr. Land suggested moving the August Roundtable to September as Life Group LA is planning a major seminar in Long Beach in August and he will be presenting.
- ⌚ Mr. Vincent-Jones and Mr. Land will discuss Roundtable vis-à-vis Life Group LA dates.

B. Latino Caucus:

1. **Latino Caucus Work Plan:** This item was postponed.

14. PREVENTION PLANNING COMMITTEE (PPC) REPORT: There was no report.

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15. STANDING COMMITTEE REPORTS:

A. Priorities and Planning (P&P):

1. ***Priority-/Allocation-Setting Process:*** There were no comments. The policy will go to the May Commission for approval.
2. ***FY 2011 Financial Expenditures:*** OAPP provided the first part of the annual report for the last calendar year, but it was missing budget information. The annual report for the year prior has not yet been received. OAPP will respond to numerous P&P questions and provide remaining information in May. There will be a report to the Commission in June.

B. Operations: Ms. O'Malley reported the Committee has growing pains with two new co-chairs and a shortage of members. Mr. Butler volunteered to join the Committee while membership rebounds.

1. ***Commission New Member Orientation:*** Orientation is in process.

C. Standards of Care (SOC):

1. ***Standards of Care:*** Ms. Palmeros noted work continues on standards, including revisions to the Housing Case Management standard. The Committee continues to work on the Evaluation of Services Effectiveness and development of methodology for a cost impact and standards feasibility review.

D. Joint Public Policy (JPP):

1. *FY 2011 Legislative Docket:*

- Mr. Butler said JPP reviewed about two dozen state bills with about half garnering a support position. Committee recommendations will be forwarded to the May Commission meeting. JPP will then select three or four for priority focus.
- Mr. Vincent-Jones noted this is the first time priorities will be selected after the Commission has approved its positions. He felt it a preferable approach as Commission input can be included in priority selection.
- The process is a month behind, but time is needed in any case for letters to the Chief Executive Office and other relevant departments. Mr. Simon added the City of Los Angeles AIDS Coordinator's Office will also use the docket for recommendations to the City possibly, except one on medical marijuana which is already being addressed.

16. NEXT STEPS: There was no additional discussion.

17. ANNOUNCEMENTS: There were no announcements.

18. ADJOURNMENT: The meeting adjourned at 12:05 pm.